

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/255,892 02/23/99 BOICE

C EN998082

LMC1/0710

EXAMINER

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AN, S

ART UNIT

PAPER NUMBER

2713

DATE MAILED:

07/10/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Advisory Action</b>	Application No. <b>09/255,892</b>	Applicant(s) <b>Boice et al.</b>
	Examiner <b>Shawn An</b>	Group Art Unit <b>2713</b>

**THE PERIOD FOR RESPONSE: [check only a) or b)]**

- a)  expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b)  expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

- Appellant's Brief is due two months from the date of the Notice of Appeal filed on \_\_\_\_\_ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Jun 27, 2000 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

- The proposed amendment(s):

- will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- will not be entered because:
  - they raise new issues that would require further consideration and/or search. (See note below).
  - they raise the issue of new matter. (See note below).
  - they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Applicant's response has overcome the following rejection(s):  
\_\_\_\_\_

- Newly proposed or amended claims \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

- The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See response to reconsideration.  
\_\_\_\_\_

- The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

- For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: \_\_\_\_\_

Claims objected to: \_\_\_\_\_

Claims rejected: 1-29 \_\_\_\_\_

- The proposed drawing correction filed on \_\_\_\_\_  has  has not been approved by the Examiner.

- Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_ *ANDY RAO*  
*PRIMARY EXAMINER*

- Other

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**Response to Reconsideration**

1. Applicant's arguments filed 6/27/00 have been fully considered but they are not persuasive. The Applicant presents arguments of which Katayama and Wheeler et al references do not disclose switching between sets of tables (Paper # 8; page 4, lines 10-11; page 7, lines 12-17) and motion estimation (Paper #8; page 6, lines 3-5) as recited in claims 1, 18, and 29. After careful scrutiny of the Katayama and Wheeler et al references, the Examiner must respectively disagree, and maintain the grounds of rejection for the reasons that follow.

Regarding the argument of switching between sets of tables (Paper # 8; page 4, lines 10-11; page 7, lines 12-17), Wheeler et al clearly disclose that there are two quantization tables (Col. 13, lines 24-25). Additionally, Wheeler et al disclose that CPU loads the tables as required and updates Q tables (690, Q table RAMS) on video stream context switches, which inherently teaches that the updating is quite synonymous to switching the Q tables (Col. 13, lines 30-32). Furthermore, the switching of the Q tables are necessary for multiple pipeline processing (Col. 15, lines 34-45 and 55-67; Col. 16, lines 1-7). In other words, CPU loads all Q table entries (meaning independent sets of Q tables, wherein each set of tables includes either intra coded blocks or non-intra coded blocks) and must switch the Q tables accordingly when the video stream context switches and/or when performing multiple pipeline processing.

Regarding the argument of motion estimation (Paper #8; page 6, lines 3-5), The Examiner agrees with the general nature of Katayama's invention as being an image processor, preferably involving still pictures. However, Katayama also discloses that a video camera (Col. 4, line 1) could be used as an image input device, which clearly indicates a plurality of moving images. Therefore, it would have been very obvious to a person of skill in the art employing an encoder (possibly utilizing moving images from the video camera) as taught by Katayama to include multiple sets of Q tables comprising either an intra table or a non-intra table as taught by Wheeler et al to manipulate the desired level of image quality as specified. Furthermore, the independent claims limitation does not require motion compensation at all.

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number is (703) 305-0099.

ANDY RAO  
PRIMARY EXAMINER

*SeA*

ssa

July 6, 2000